

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
JUST PLAY, LLC,

Plaintiff,

-v-

A ROMANTIC JEWELLERY STORE, et al.,

Defendants.

21 Civ. 01504 (JHR) (RFT)

ORDER

ROBYN F. TARNOFSKY, United States Magistrate Judge:

On May 16, 2024, Judge Jennifer H. Rearden issued an order entering a default judgment as to liability and an injunction in favor of Plaintiff Just Play, LLC and against Defendants A Romantic Jewellery Store, BUBABOX Store, Hongzhida Packaging (Shenzhen) Co., Ltd., KAIA Store, Misss You Store, Ningbo Haishu Wen Yue Package Product Co., Ltd., Ningbo Joyrelax Plastic Co., Ltd., Shop5796113 Store, Shop910342028 Store, Suddenly Heartbeat Store, and Yiwu Gifts & Crafts Customized Store (“Defaulting Defendants”). (See ECF 50.) By Order of Reference dated May 16, 2024 (ECF 51), Judge Rearden referred this case to me to conduct a damages inquest. On June 10, 2024, in compliance with my May 17, 2024 Order (ECF 52), Plaintiff submitted its Proposed Findings of Fact and Conclusions of Law (“Proposed Findings”) (ECF 57) along with the supporting Declaration of Danielle S. Futterman (ECF 58).

“‘[B]efore a court grants a motion for default judgment, it may first assure itself that it has personal jurisdiction over the defendant.’” *City of N.Y. v. Mickalis Pawn Shop, LLC*, 645 F.3d 114, 133 (2d Cir. 2011) (quoting *Sinoying Logistics Pte Ltd. v. Yi Da Xin Trading Corp.*, 619 F.3d 207, 213 (2d Cir. 2010)). Plaintiff contends that this Court has personal jurisdiction over

Defendants pursuant to N.Y.C.P.L.R. §§ 302(a)(1) and 302(a)(3). (*See id.* at 13-14.) To satisfy the requirements of those statutory provisions:

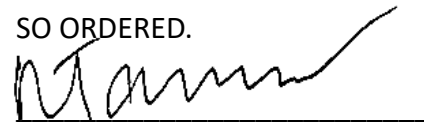
Plaintiff must plead lost sales or lost consumers in New York. And, Plaintiff must plead that Defendants made sales to New York or otherwise targeted New York such that they purposefully availed themselves of the benefits of the laws of New York, to the extent that they would reasonably anticipate being haled into a New York court.

Spin Master Ltd. v. TC Toy City Store, No. 22-CV-890 (AT), 2022 WL 17669432 at*3 (S.D.N.Y. Dec. 14, 2022) (internal quotation marks and citations omitted.) My initial review of the Proposed Findings (ECF 57) indicates that Plaintiff has not yet sufficiently shown that each Defaulting Defendant engaged in the requisite transactions in New York for this Court to have personal jurisdiction over each Defaulting Defendant.

It is ORDERED that, no later than **November 1, 2024**, Plaintiff shall file on the docket a submission addressing whether this Court has personal jurisdiction over each Defaulting Defendant and providing any necessary additional information to support an exercise of personal jurisdiction over each Defaulting Defendant. *See Spin Master*, 2022 WL 17669432, at *3 (directing the plaintiff to provide additional information supporting personal jurisdiction as to each defaulting defendant in a trademark infringement action); *Smart Study Co., Ltd. v. A Pleasant Trip Store*, No. 20 Civ. 1733 (MKV), ECF 64 (same).

DATED: October 18, 2024
New York, New York

SO ORDERED.



ROBYN F. TARNOFSKY

United States Magistrate Judge